

LEMERYGREISLER^{LLC}
A T T O R N E Y S A T L A W

January 25, 2024

Peter M. Damin, Member

pdamin@lemerygreisler.com
Phn: (518) 433-8800 ext. 343

VIA ECF

Honorable Christian F. Hummel
United States Magistrate Judge
United States District Court
Northern District of New York
445 Broadway
Albany, New York 12207

**Re: Compass-Charlotte 1031, LLC v. Prime Capital Ventures, LLC, et al.
24-cv-00055 (MAD/CJH)**

Dear Judge Hummel:

This office is counsel to Receiver, Paul A. Levine, Esq., and respectfully submits this letter in opposition to Prime Capital Ventures, LLC's ("Prime Capital") letter motion requesting a stay of expedited discovery during the pendency of Prime Capital's motion to compel and dismiss Plaintiff Compass-Charlotte 1031, LLC's ("Compass-Charlotte's") claims against Prime Capital.

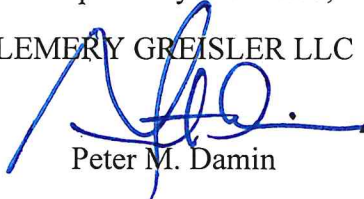
On January 24, 2024, Judge D'Agostino issued a Memorandum-Decision and Order in this matter, which, among other things, granted Plaintiff Compass-Charlotte 1031, LLC's request for the appointment of a permanent receiver and appointed Paul Levine, Esq. as the permanent Receiver for Defendants. In addition, Judge D'Agostino's Order also confirmed that expedited discovery pursuant to Federal Rule of Civil Procedure 26(d) was appropriate in this case.

Since the commencement of this action, significant evidence of the dissipation of Prime Capital's assets has been uncovered, which has only been possible through the expedited discovery ordered by this Court. Expedited discovery has substantially assisted the Receiver's efforts and needs to continue to allow the Receiver to better fulfill his Court ordered powers and duties. Accordingly, the Receiver respectfully requests that Prime Capital's motion requesting a stay of expedited discovery be denied.

Thank you.

Respectfully submitted,

LEMERY GREISLER LLC



Peter M. Damin

PMD:ik

cc: (Via E-mail)
Pieter Van Tol, Esq. (pieter.vantol@hoganlovells.com)
Will Esser, Esq. (willesser@parkerpoe.com)
Chris Fenlon, Esq. (cfenlon@hinckleyallen.com)
Robert Lippman, Esq. (rlippman@lemerygreisler.com)

{LG 00725734 1 }

677 Broadway, 8th Floor
Albany, New York 12207
518.433.8800

www.LemeryGreisler.com